

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et
al.*,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**FIFTH INFORMATIVE MOTION OF THE FINANCIAL
OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO
RICO WITH RESPECT TO RESOLUTION OF PROOF OF CLAIM
PURSUANT TO ALTERNATIVE DISPUTE RESOLUTION PROCEDURES**

To the Honorable United States District Judge Laura Taylor Swain:

The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the sole Title III representative of the Commonwealth of Puerto Rico (the “Commonwealth”), the Puerto Rico Highways and Transportation Authority (“HTA”), the Employees Retirement

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (“Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA,” and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

System of the Government of the Commonwealth of Puerto Rico (“ERS”), the Puerto Rico Electric Power Authority (“PREPA”), and the Puerto Rico Public Buildings Authority (“PBA,” and together with the Commonwealth, HTA, ERS, and PREPA, the “Debtors”) pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² respectfully submits this *Fifth Informative Motion of the Financial Oversight and Management Board For Puerto Rico With Respect to Resolution of Proof of Claim Pursuant to Alternative Dispute Resolution Procedures* (the “Fifth Informative Motion”) pursuant to the *Order (A) Authorizing Alternative Dispute Resolution Procedures, (B) Approving Additional Form of Notice, and (C) Granting Related Relief* [ECF No. 12576] (the “ADR Order”), as amended by the *Order Amending Alternative Dispute Resolution Procedures* [ECF No. 15505], and in support of the Fifth Informative Motion, the Oversight Board respectfully states as follows:

1. On April 1, 2020, this Court entered the ADR Order, which authorized the Debtors to resolve the amount of general unsecured claims utilizing the ADR Procedures (as defined in the ADR Order).

2. Pursuant to the ADR Order, the Debtors have filed twenty-one notices transferring claims into the ADR Procedures.³

² PROMESA is codified at 48 U.S.C. §§ 2101–2241.

³ See First Notice of Transfer of Claims to Alternative Dispute Resolution [ECF No. 13609], Second Notice of Transfer of Claims to Alternative Dispute Resolution [ECF No. 14090], Third Notice of Transfer of Claims to Alternative Dispute Resolution [ECF No. 14521], Fourth Notice of Transfer of Claims to Alternative Dispute Resolution [ECF No. 14786], Fifth Notice of Transfer of Claims to Alternative Dispute Resolution [ECF No. 15085], Sixth Notice of Transfer of Claims to Alternative Dispute Resolution [ECF No. 15114], Seventh Notice of Transfer of Claims to Alternative Dispute Resolution [ECF No. 15217], Eighth Notice of Transfer of Claims to Alternative Dispute Resolution [ECF No. 15533], Ninth Notice of Transfer of Claims to Alternative Dispute Resolution [ECF No. 15720], Tenth Notice of Transfer of Claims to Alternative Dispute Resolution [ECF No. 15861]; Amended Eleventh Notice of Transfer of Claims to Alternative Dispute Resolution [ECF No. 16540]; Twelfth Notice of Transfer of Claims to Alternative Dispute Resolution [ECF No. 16517]; Thirteenth Notice of Transfer of Claims to Alternative Dispute Resolution [ECF No. 16518].

3. Through the Offer-Exchange (as defined in the ADR Order) phase of the ADR Procedures, the Debtors have resolved the proof of claim (the “Resolved Claim”) listed on the schedule attached as **Exhibit 1** to the proposed order submitted herewith. The Debtors and claimant, as identified in **Exhibit 1** to the proposed order submitted herewith, have agreed to and executed stipulation (the “Stipulation”) regarding the Resolved Claim.

4. The Stipulation shall not become effective unless and until the proposed order attached hereto as **Exhibit A** is approved by the Court.

WHEREFORE the Debtors respectfully request the Court (1) approve the Stipulation; and (2) grant such other and further relief as is just.

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Resolution [ECF No. 16767]; Fourteenth Notice of Transfer of Claims to Alternative Dispute Resolution [ECF No. 17208]; Fifteenth Notice of Transfer of Claims to Alternative Dispute Resolution [ECF No. 17832]; Sixteenth Notice of Transfer of Claims to Alternative Dispute Resolution [ECF No. 18259]; Seventeenth Notice of Transfer of Claims to Alternative Dispute Resolution [ECF No. 19169]; Eighteenth Notice of Transfer of Claims to Alternative Dispute Resolution [ECF No. 19594]; Nineteenth Notice of Transfer of Claims to Alternative Dispute Resolution [ECF No. 19671]; Twentieth Notice of Transfer of Claims to Alternative Dispute Resolution [ECF No. 20012]; and Twenty-First Notice of Transfer of Claims to Alternative Dispute Resolution [ECF No. 20241].

Dated: April 26, 2022
San Juan, Puerto Rico

Respectfully submitted,

/s/ Martin J. Bienenstock

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EXHIBIT A

[Proposed] Order

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et
al.*,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**[PROPOSED] ORDER REGARDING FIFTH INFORMATIVE MOTION OF THE
FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO WITH
RESPECT TO RESOLUTION OF PROOF OF CLAIM PURSUANT TO
ALTERNATIVE DISPUTE RESOLUTION PROCEDURES**

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico ("Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA," and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the "Debtors") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Upon consideration of the *Fifth Informative Motion of the Financial Oversight and Management Board For Puerto Rico With Respect to Resolution of Proof of Claim Pursuant to Alternative Dispute Resolution Procedures* (the “Fifth Informative Motion”) filed by the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the sole Title III representative of the Commonwealth of Puerto Rico (the “Commonwealth”), the Puerto Rico Highways and Transportation Authority (“HTA”), the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), the Puerto Rico Electric Power Authority (“PREPA”), and the Puerto Rico Public Buildings Authority (“PBA,” and together with the Commonwealth, HTA, ERS, and PREPA, the “Debtors”), pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”), requesting the Court approve the stipulation attached hereto as **Exhibit 1-A** (the “Stipulation”) on the basis that the parties have agreed to settle the validity and amount of the proof of claim identified in the column titled “Claim Number” in **Exhibit 1** attached hereto, that is the subject of said Stipulation; and it appearing that (i) the Court has subject matter jurisdiction over the Fifth Informative Motion pursuant to PROMESA section 306(a); and (ii) venue is proper pursuant to PROMESA section 307(a); and after due deliberation and sufficient cause appearing therefor:

1. The Fifth Informative Motion is GRANTED as set forth herein;
2. The Stipulation is hereby approved;
3. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order;
4. This Order resolves Docket Entry No.____ in Case No. 17-3283.

United States District Court Judge
Laura Taylor Swain

Exhibit 1 – Schedule of Resolved Claims

Exhibit 1 – Schedule of Resolved Claims

Claimant	Claim Number	Debtor(s)	Asserted Claim Amount	Settled Amount	Stipulation Ex. No.
Orjales Sanchez, Georgina	9500	Puerto Rico Electric Power Authority	\$23,750.00	\$9,500.00	1-A